

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARTURO GOMEZ,

Plaintiff,

v.

DAVID HAET,

Defendant.

No. 2:24-cv-02172-DC-CKD (PS)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION

(Doc. Nos. 2, 5)

Plaintiff Arturo Gomez is proceeding *pro se* in this civil action. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 17, 2025, the assigned magistrate judge issued findings and recommendations recommending this action be dismissed due to Plaintiff's failure to prosecute this action and failure to comply with court rules and orders pursuant to Federal Rule of Civil Procedure 41(b). (Doc. No. 5.) In particular, Plaintiff failed to comply with the court's March 11, 2025 order to show cause for his failure to keep the court apprised of his current address.¹ (Doc. No. 4.)

Plaintiff did not thereafter file an updated current mailing address or otherwise communicate with

¹ The service copies of the court's October 10, 2024 order reassigning this case to this court (Doc. No. 3), were mailed to Plaintiff at his address of record. The service copies were returned to the court on October 22, 2024 as undeliverable due to an insufficient address. Pursuant to Local Rule 183 in effect at that time, Plaintiff was required to file a notice of his change of address with the court by no later than November 22, 2024, and he did not do so.

1 the court.

2 The pending findings and recommendations were served on Plaintiff's address of record
3 and contained notice that any objections thereto were to be filed within fourteen (14) days after
4 service.² (Doc. No. 5 at 3.) To date, no objections to the findings and recommendations have been
5 filed, and the time in which to do so has passed.

6 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
7 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
8 findings and recommendations are supported by the record and by proper analysis.

9 Accordingly,

- 10 1. The findings and recommendations issued on April 17, 2025 (Doc. No. 5) are
11 adopted in full;
 - 12 2. This action is dismissed, pursuant to Federal Rule of Civil Procedure 41(b);
 - 13 3. Plaintiff's application to proceed *in forma pauperis* (Doc. No. 2) is DENIED as
14 MOOT; and
 - 15 4. The Clerk of the Court is DIRECTED to close this case.
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18 IT IS SO ORDERED.

19 Dated: July 17, 2025

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Dena Coggins
United States District Judge

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27 ² The service copy of the pending findings and recommendations, which was mailed to Plaintiff at
28 his address of record, was also returned to the court as "Undeliverable, Attempted - not known,
Unable to forward."